

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

TARAS VOLGEMUT

CASE NUMBER:

CV12-6678 JCG

Plaintiff(s),

v.

DIETER P. ABT

Defendant(s).

**NOTICE OF DEFICIENCY
DEFAULT/DEFAULT JUDGMENT**

PLEASE TAKE NOTICE:

The Clerk cannot enter the requested **Default** of _____ for the following reason(s)

- ☐ No declaration as required by F.R.Civ.P 55(a)
- ☐ No proof of service/waiver of service on file
- ☐ The name of the person served does not exactly match the person named in complaint
- ☐ Proof of Service is lacking required information
- ☐ Waiver of Service lacking the signature of the sender and/or the person acknowledging receipt
- ☐ Time to respond has not expired
- ☐ Answer and/or Motion for Summary Judgment and/or Motion to Dismiss on file
- ☐ Request for Entry of Default has been forwarded to the assigned Judge
- ☐ Party dismissed from action on _____
- ☐ Case terminated on _____
- ☐ Requesting party shall file a new Request/Application with noted deficiencies corrected **in order to have default reconsidered**.
- ☐ Other _____

The Clerk cannot enter the requested **Default Judgment** against Dieter P. Abt for the following reason(s)

- ☐ No Entry of Default on file
- ☐ No declaration as required by F.R.Civ.P 55(b)
- ☐ The name of the person for which Default Judgment is requested does not exactly match the person named in the complaint
- ☐ Amounts requested differ or exceed the amounts prayed for in the demand for judgment in the most recently filed complaint
- ☐ A declaration establishing the amount due must accompany the plaintiff's request for default judgment
- ☐ No judgment by default may be entered by the Clerk against the United States or an incompetent person. The Request for Entry of Default has been forwarded to the assigned Judge
- ☐ Amount sought is not for a sum certain or cannot be computed to a sum certain
- ☒ Attorney Fees sought not in compliance with Local Rule 55-3
- ☒ Amount sought for costs is incorrect
- ☐ Case terminated on _____
- ☒ Requesting party shall file a new Request/Application with noted deficiencies corrected **in order to have default judgment reconsidered**.
- ☒ Other (SEE PAGE 2) _____

CLERK OF COURT

By: LTrepagnier

Deputy Clerk

Other Attorney fees are calculated only on the Principal amount; Cost - The Clerk can only authorize \$350 for the filing fee and the cost of service of Summons & Complaint (\$705.55 - \$350 = \$355.55 unauthorized); Counsel failed to submit a Proposed Bill of Cost; Counsel failed to attach a Proposed Order with monetary breakdown.